

**COUNTY OF SAN DIEGO
BOULEVARD PLANNING GROUP
MINUTES/SUMMARY FOR SEPTEMBER 4, 2014**

MEETING CALLED TO ORDER: 7:00 PM, Thursday, September 4, 2014 at Boulevard Community Center located east of the Boulevard Fire Station

A.ROLL CALL (Determination of quorum):

- Members present: **1)** Robert Maupin **3)** Chris Noland; **4)** Donna Tisdale; **5)** Michele Strand; **6)** Paula Byrd **7)** Jeffrey McKiernan
- Members absent: **2)** Earl Goodnight. Excused, on vacation.

B. PLEDGE OF ALLEGIANCE:

C. APPROVE MINUTES FOR AUGUST 7TH MEETING:

- Minutes were not ready for review/approval due to secretary's email error. To be reviewed at the next meeting.

E. PUBLIC COMMUNICATION:

- TEAME had their first clean-up on August 30th. 63 trips to the disposal site in 5 hours. 16 trips to the chippers. All dumpsters were full at the end of the event. This was a huge success!
- The San Diego FSC did not think there was enough participation with the chipping. Therefore, the local chapter FSC will provide the chipper for the next two events, as advertised.
- The people of the backcountry need to take advantage of the free programs, or else the County assumes lack of interest and stops offering them.
- September 20th is the next event in Jacumba.
- TEAME handed out "Sharps" containers (medical and veterinary)
- Community member Tim Cass is working on getting signs that say, "Welcome to Manzanita".
- Public Works is to install and maintain them.
- This is a 40 year long discrepancy as to the Manzanita vs Boulevard name.
- Howard Cook sadly informed us that Bob Price has passed away.
- Chair informed us of a new solar project proposed next to the ECO substation in Jacumba: 300 acres and 20 MW
- The NextEra representatives will be at the Jacumba Planning Group meeting on September 24th.
- Chair noticed that the County seems to be paying more attention to the water and fire issues, also happens to be close the old endangered big horn sheep critical habitat area which SDG&E successfully lobbied to move the boundaries of.
- Howard Cook reported that Jacumba Solar was on the Jacumba Community Services District agenda for water service approval but it was not voted on at that meeting
- The JSCD manager was reportedly told to fill in the form and the vote will be taken later, the legality of which was questioned
- Project seeking 48-51 acre feet of water for construction and 4-6 feet annually for O & M
- Cook estimated 300 acre feet would be needed over life of project

F. ACTION ITEMS:

1. DISCLOSURE OF COMPLAINT FILED FOR DAMAGES, INJUNCTIVE RELIEF, DECLARATORY RELIEF AND WRIT OF MANDATE NAMING DONNA TISDALE AS 'PRESIDENT' OF THE BOULEVARD PLANNING GROUP ALONG WITH THE COUNTY, THE BOARD OF SUPERVISORS, DIANNE JACOB, BACKCOUNTRY AGAINST DUMPS, INC., THE PROTECT OUR COMMUNITIES FOUNDATION, INC., MICHAEL BECK & ENDANGERED HABITATS LEAGE; CHAIR IS SEEKING GROUP SUPPORT FOR INDEMNIFICATION AND REPRESENTATION REUEST TO THE COUNTY AS ALLOWED UNDER POLICY I-1 FOR PLANNING GROUP MEMEBERS:

- Case # 37-2014-00025797-CU-MC-CTL was filed on August 1st in San Diego Superior Court Central Division by Plaintiffs 569 East County Boulevard LLC, Boulevard Empire LLC, Lansing Industries PSP LLC and 390 Jacumba LLC, seeking \$100 million in damages related to the General Plan Update 2020, Soitec Solar, and other project proposed in the Boulevard area.
- Allegations include violations of the California Constitution and California Planning and Zoning Law; unconstitutional denial of equal protection and due process of law; arbitrary, unreasonable and discriminatory planning and zoning; fraud; intentional and negligent misrepresentation; unlawful interference with prospective business advantage; violation of Government Code Sections 87100, et seq., and inverse condemnation; with requests for injunctive and declaratory relief, and attorney fees.
- The case was assigned to Judge John S. Meyer, Dept C-61.
- Chair Donna Tisdale relayed that she believes she would have no problem defending herself in this lawsuit that she believes is a poorly drafted strategic lawsuit against public participation (aka SLAPP suit).
- The complaint is filled with misspellings and questionable allegations.
- The Chair reported that no one had yet been served, to her knowledge.
- Jim Whalen said he thought that Michael Beck may have been served.

M/S: STRAND/BYRD: Motion to support Chair's request to the County for indemnification and representation. Approved: 6-0-0 (Goodnight absent).

G. GROUP BUSINESS: Announcements; correspondence; discussion items; project updates

1. Revitalization Report:

- The Jacumba Recycling Project benefits the Boulevard/Jacumba Revitalization Committee by donating any funds gathered from recycling to the Committee. They are in need of recyclables and volunteers. So far, it's been about \$300 per month.
- October 4th is the Jacumba Fall Festival Centennial. Free family activities. They are in need of volunteers. Flyers available.
- Jacumba Hiker's Club has a schedule out. They are looking for land owners to host hikes and new locations in Boulevard.

2. Fire Safe Council Report:

- Next meeting is September 27th at the Cottonwood Forestry Station on Buckman Springs Rd.

- The FSC will meet with Supervisor Dianne Jacob and the fire service providers on September 10th.
 - After the Boulevard Fire Dept. meet and greet at the Manzanita Diner, Senator Anderson's office called Tammy Daubach back to let her know that all of the questions were answered there.
- 3. 2014 GENERAL ELECTION FOR BOULEVARD PLANNING GROUP SEATS 2, 4 & 6:**
- Only 3 incumbent candidates filed for 3 open seats. New terms for Paula Byrd, Earl Goodnight, and Donna Tisdale will start in January 2015.
- 4. ECO SUBSTATION: PRE-HEARING CONFERENCE SET WITH ADMINISTRATIVE LAW JUDGE (ALJ) MCDONALD FOR COMPLAINT FILED ON SDG&E'S WATER SUPPLY PLAN IS SCHEDULED FOR SEPTEMBER 12 @ 10:30 AM AT THE STATE OFFICE BUILDING 1350 FRONT STREET, SAN DIEGO, ROOM B-107:**
- Non-profit group has withdrawn complaint filed over SDG&E's Water Supply Plan, as moot, due to changes made. Most of remaining water supply will come from City of San Diego.
- 5. TULE WIND'S LEASE APPLICATION HEARING WITH STATE LANDS COMMISSION:**
- Potential for Commission hearing on Tule Wind's lease at the Commission's October 14th meeting. That meeting has been moved from San Diego to Los Angeles. However, no formal hearing date has yet been determined.
- 6. SOITEC SOLAR PROJECTS (PDS2012-3910-120005): DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT (DPEIR) REPORT FOR FOUR BOULEVARD PROJECTS WITH 7,409-8,415 CPV SOLAR TRACKERS @ 1,200 SQ FT EACH:**
- Consultant, Jim Whalen, reported that pending the Final EIR may be complete in next month or so.
 - New County Counsel, Bill Witt, replacing Claudia who already retired.
 - SB1139 tanked that mandated use of geothermal energy.
 - Chapman Ranch Solar is proceeding
- 7. NOTICE OF PREPARATION, INITIAL STUDY & REQUEST FOR ENVIRONMENTAL IMPACT REPORT (EIR) FOR ROUGH ACRES RANCH CAMPGROUND/CONFERENCE CENTER MUP: PDS2012-3300-12-021 (MUP): Public comment closed on May 19th:**
- Draft EIR expected this fall
- 8. ROUGH ACRES RANCH ROAD MAJOR GRADING PERMIT: PDS2011-2700-15622: APPLICANT GREGG HAMANN:**
- Whalen thought permit had been granted
 - Chair did not believe it had been granted yet
- 9. NOTICE OF APPEAL FILED FOR MARCH 25 COURT RULING SUPPORTING BLM'S APPROVAL OF IBERDROLA'S 200 MW TULE WIND:**
- Chair reported that MUP had expired in August
 - Iberdrola has no Power Purchase Agreement, no State Lands Commission lease approval, and no Take Permit for Golden Eagle.
 - Iberdrola is working with County to implement conditions of approval as necessary to get an extension

10. TULE WIND PHASE II:

- No news

11. NOTICE OF APPEAL FILED FOR WIND ENERGY ORDINANCE AND PLAN AMENDMENT:

- No news

12. SEMPRA'S CROSS-BORDER HIGH VOLTAGE TRANSMISSION LINE, WITH IMPORT CAPACITY OF 1,250 MW, WILL CONNECT THEIR \$300 MILLION ENERGIA SIERRA JUAREZ WIND (ESJ) IN BAJA CALIFORNIA WITH SDG&E'S NEW \$435 MILLION ECO SUBSTATION:

- Construction has started in Mexico. Litigation is unresolved. Sempra has purchased 47 Vestas 3.3MW turbines and applied to DOE for a permit to export up to 6MW of energy to Mexico to construct and support the ESJ wind turbine project.

H. MEETING ADJOURNED AT 8:00 PM/NEXT REGULAR MEETING SET FOR OCTOBER 2ND, 2014:

Minutes approved by Group on: 10.2.14

Michele Strand, Secretary: 

For More information contact Donna Tisdale, Chair at 619-766-4170 or tisdale.donna@gmail.com